

1 J.T. Fox, Esq. (SBN 195063)
2 LAW OFFICES OF JT FOX, APC
3 556 S. Fair Oaks Ave., No. 444
4 Pasadena, California 91105
5 Telephone: (888) 750-5530
6 Fax: (888) 750-5530
7 Email: jt@jtfoxlaw.com

8 Attorney for Defendants,
9 DARRICK ANGELONE;
10 AONE CREATIVE, LLC; and
11 ON CHAIN INNOVATIONS, LLC

12
13 **UNITED STATES DISTRICT COURT**
14 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
15

16 HIDDEN EMPIRE HOLDINGS, LLC;
17 a Delaware limited liability company;
18 HYPER ENGINE, LLC; a California
19 limited liability company; DEON
20 TAYLOR, an individual,

21 Plaintiffs,

22 v.

23 DARRICK ANGELONE, an individual;
24 AONE CREATIVE, LLC formerly
25 known as AONE ENTERTAINMENT
26 LLC, a Florida limited liability
27 company; ON CHAIN
28 INNOVATIONS, LLC, a Florida
limited liability company,

Defendants.

CASE NO. 2:22-cv-06515-MWF-AGR

**JOINT STIPULATION
REGARDING ORDER
GOVERNING PRODUCTION OF
RECORDS BY THIRD PARTY
CHARTER COMMUNICATIONS IN
RESPONSE TO SUBPOENA**

1 TO THE HONORABLE COURT:

2 Plaintiffs HIDDEN EMPIRE HOLDINGS, LLC; HYPER ENGINE, LLC; and
3 DEON TAYLOR (“Plaintiffs/Counter-Defendants”), Third-Party Defendant
4 ROXANNE TAYLOR (“Third-Party Defendant”), and Defendants DARRICK
5 ANGELONE, AONE CREATIVE, LLC and ON CHAIN INNOVATIONS, LLC
6 (“Defendants/Counter-Claimants”) (collectively “Parties”) hereby agree and stipulate
7 as follows:

8 WHEREAS on March 9, 2023, Defendants served a Notice of Subpoena and
9 accompanying subpoena, pursuant to Federal Rule of Civil Procedure 45, advising
10 Defendants that Plaintiffs would be seeking subscriber information from third party
11 Charter Communications (“Charter”) relevant to this action.

12 WHEREAS on March 17, 2023, Defendants served the subject subpoena on
13 Charter’s agent for service of process, seeking production of all subscriber
14 information and time and connection logs associated with seven (7) IP addresses
15 allegedly used to log into Plaintiffs’ email accounts that are at issue in this action.

16 WHEREAS the subject subpoena sought a production date of April 10, 2023.

17 WHEREAS on March 27, 2023, Charter sent a letter to Defendants via their
18 deposition officer for the subject subpoena, DDS Legal Systems, which confirmed
19 that 47 U.S.C. § 551 (Section 631 of the Communications Act of 1934) prevents it
20 from producing responsive information to Plaintiffs absent first being provided with a
21 court order and notice to the affected subscriber consistent with the exception
22 provided in 47 U.S.C. § 551(c)(2)(B). Charter also informed Defendants that Charter
23 would be required to comply with the subpoena if Charter obtained said order.

24 WHEREAS Defendants and Charter have agreed that the [Proposed] Order
25 attached hereto as Exhibit A is in compliance with the requirements of Section 631 of
26 the Communications Act of 1934 (codified at 47 U.S.C. § 551).

1 WHEREAS, upon receipt of said court order, Charter has agreed to give
2 sufficient notice to the affected subscriber pursuant to Section 631 of the
3 Communications Act of 1934 (codified at 47 U.S.C. § 551), and if no response or
4 intention to oppose is submitted by subscriber within the time frame specified in the
5 [Proposed] Order, Charter will produce information responsive to the subpoena in
6 accordance with the [Proposed] Order.

7 WHEREAS each of the undersigned represents that he has been duly
8 authorized to enter into this Stipulation.

9 **THEREFORE, THE PARTIES HEREBY STIPULATE AS**
10 **FOLLOWS:**

11 The Parties request that the Court enter an order consistent with the [Proposed]
12 Order attached hereto as Exhibit A.

13
14 **IT IS SO STIPULATED.**

15
16 **Dated: April 13, 2023**

**LAW OFFICES OF J.T. FOX &
ASSOCIATES, APC**

17
18 By: /s/ J.T. Fox
19 J.T. Fox, Esq.
20 Attorney for Defendants,
21 DARRICK ANGELONE; AONE
22 CREATIVE, LLC, and ON
CHAIN INNOVATIONS, LLC

23 /s/ Lawrence Hinkle
24 Lawrence Hinkle, Esq.
25 Stephanie Jones Nojima, Esq.
26 Attorneys for Plaintiffs
27 HIDDEN EMPIRE HOLDINGS,
28 LLC; HYPER ENGINE, LLC;
AND DEON TAYLOR

Exhibit A

1 J.T. Fox, Esq. (SBN 195063)
2 LAW OFFICES OF JT FOX, APC
3 556 S. Fair Oaks Ave., No. 444
4 Pasadena, California 91105
5 Telephone: (888) 750-5530
6 Fax: (888) 750-5530
7 Email: jt@jtfoxlaw.com

8 Attorney for Defendants,
9 DARRICK ANGELONE;
10 AONE CREATIVE, LLC; and
11 ON CHAIN INNOVATIONS, LLC

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 HIDDEN EMPIRE HOLDINGS, LLC;
15 a Delaware limited liability company;
16 HYPER ENGINE, LLC; a California
17 limited liability company; DEON
18 TAYLOR, an individual,

19 Plaintiffs,

20 v.

21 DARRICK ANGELONE, an individual;
22 AONE CREATIVE, LLC formerly
23 known as AONE ENTERTAINMENT
24 LLC, a Florida limited liability
25 company; ON CHAIN
26 INNOVATIONS, LLC, a Florida
27 limited liability company,

28 Defendants.

CASE NO. 2:22-cv-06515-MWF-AGR

**[PROPOSED] ORDER RE:
PRODUCTION OF RECORDS BY
THIRD PARTY CHARTER
COMMUNICATIONS IN
RESPONSE TO SUBPOENA**

1 **[PROPOSED] ORDER**

2
3 For good cause shown, the Joint Stipulation Regarding Order Governing the
4 Production of Records By Third Party Charter Communications (“Charter”) in
5 Response to Subpoena is hereby granted as follows:

- 6 1) Consistent with 47 U.S.C. § 551(c)(2)(B), Charter shall provide notice to the
7 affected subscriber that Charter has been ordered to disclose his or her name
8 and address and connection log history and that such disclosure will be
9 required by this Order unless such subscriber responds or objects no later
10 than fourteen (14) days from the date that Charter notifies the subscriber.
11 2) Charter shall advise Defendants of the date the subscriber was notified and
12 further whether the subscriber has responded or indicated an intention to
13 oppose disclosure within the fourteen (14) days provided for a response.
14 3) If no response or intention to oppose is filed or served, Charter shall disclose
15 the relevant name(s) and address(es) of the Subscriber(s) within ten (10) days
16 after the end of the fourteen (14) day notice period.
17 4) If any of the affected subscriber(s) files a responsive pleading, opposition,
18 intention to oppose or otherwise challenges disclosure of his or her
19 personally identifiable information within the fourteen (14) day notice
20 period, Charter will not be required to disclose the requested information
21 unless and until this Court considers and disposes of any such challenge.
22 5) Counsel for Defendants shall agree to pay reasonable copying and searching
23 costs to Charter for producing responsive records and/or information to
24 Defendants.

25
26
27 **IT IS SO ORDERED.**
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: _____

UNITED STATES DISTRICT JUDGE